



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Group Art Unit: 1651

Osman Kibar

Examiner: Jon P. Weber

Serial No.: 09/843,902

Filed: April 27, 2001

For: Method for Separating Micro-Particles

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97–1.98, information relating to the above–identified application is hereby disclosed. The accompanying Form PTO SB/08A provides a listing of documents that may be relevant to the subject application.

It is requested that the Examiner fully consider the art cited in the accompanying Form PTO SB/08A, initial the left-most column of the form adjacent each cited reference, and return a copy for Applicants' records. It is further requested that the art be cited on the cover of any patent issuing from the subject application.

In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above, but before the mailing date of either a Final Action under §1.113

08/10/2004 EAREGAY1 00000094 502862 09843902

02 FC:1806

180.00 DA

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit IR1:1050933.1

Signature of Person Mailing Paper

Attorney Docket: 302,670-002

or a Notice of Allowance under §1.311. Accordingly, the Commissioner is hereby authorized to

charge Deposit Account No. 50-2862 for the requisite fee of \$180.00.

In accordance with §1.98(d), copies of some or all of the references listed on the attached

Form PTO/SB/08A are not enclosed herewith because they were previously cited by or submitted to

the Patent and Trademark Office in prior copending or related applications for which a claim for

priority under 35 U.S.C. §120 has been made in the instant application. Accordingly, Applicants

will provide duplicate copies in respect of the present case only if the Examiner so desires.

This statement should not be construed as a representation that more material information

does not exist or that an exhaustive search of the relevant art has been made. Nor does this statement

constitute an admission by Applicants or Applicants' agent that the information provided herein is

necessarily prior art to Applicants' invention. Moreover, Applicants reserve the right to establish the

patentability of the claimed invention over any of the listed documents should they be applied there-

against as references. Please charge any deficiency or credit any overpayment to Deposit Account

No. 50-2862.

Respectfully submitted,

O'MELVENY & MYERS LLP

Dated:

815/04

By:

2

David B. Murphy

Reg. No. 31,125

Attorneys for Applicant

DBM/dnd

34263

O'Melveny & Myers LLP 114 Pacifica, Suite 100 Irvine, CA 92618-3315 (949) 737-2900

IR1:1050933.1



Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Spostitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

	1000		 	,,
Sheet		1	of	

rodelined to recoporite to a consession of which the second of the secon				
Complete if Known				
Application Number	09/843,902			
Filing Date	April 27, 2001			
First Named Inventor	Osman Kibar			
Group Art Unit	1651			
Examiner Name	Jon P. Weber			
Attorney Docket Number	302,670-002 (prev. 259/221)			

	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
Examiner Initials *	Number Kind Code ² (if known)			Cited Document MM-DD-YYYY		
	US-3826899		Ehrlich et al	07/30/1974		
	US-4460667		Landa	07/17/1984		
	US-4939081		Figdor et al	07/03/1990		
	US-5374556		Bennett et al	12/20/1994		
	US-5472550		Periasamy	12/05/1995		
	US-5667286		Shull et al	10/14/1997		
	US 5752606		Wilson et al	05/19/1998		
	US-5834208		Sakano	11/10/1998		
- "	US-5998152		Lynch et al	12/07/1999		
	US-6008010		Greenberger et al	12/28/1999		
	US-6355491	B1	Zhou et al	03/12/2002		
	US-6387331	B1	Hunter	05/14/2002		
	US-6395480	B1	Hefti	05/28/2002		
	US-6408878	B2	Unger et al	06/25/2002		
	US-6411838	B1	Nordstrom et al	06/25/2002		
	US-6485905	B2	Hefti	11/26/2002		
	US-6507400	B1	Pina et al	01/14/2003		
	US-6518056	B2	Schembri et al	02/11/2003		
	US-6534308	B1	Palsson et al	03/18/2003		
	US-6540895	B1	Spence et al	04/01/2003		
	US-6566079	B2	Hefti	05/20/2003		
	US-6624940	B1	Grier et al	09/23/2003		
	US-2002/0025529	A1	Quake et al	02/28/2002		
	US-2002/0037542	A1	Allbritton et al	03/28/2002		

Examiner Initials*	Foreign Patent Document			Name of Patentee	Date of Publication of	Pages, Columns, Lines,		
	Office ³	Number ⁴	Kind Code ⁵ (if known)	or Applicant of Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear	T ₆	
	wo	02/39104	A1	Kibar	05/16/2002		-	
	JP	9-43434	Α	lkeda et al	02/14/1997		abstract	

Examiner Initials *	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume—issue number(s), publisher, city and/or country where published.	T ²
	ARLT et al, "Moving Interference Patterns Created Using The Angular Doppler Effect", Optics Express, 10, 16, 2002, 844-852.	
	ASHKIN, "The Pressure Of Laser Light", Scientific American, 226, 2, 1972, 63-71.	
	BUICAN, "Automated Cell-Separation Techniques Based On Optical Trapping", ACS Symposium Series, 464, 1991, 59-72.	
	Experimental Biochemistry, 2 nd Edition, J.M. Clark & R.L. Switzer, eds., Section II, W.H. Freeman and Co., New Yor, 1997, 73-74.	

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known			
Application Number	09/843,902		
Filing Date	April 27, 2001		
First Named Inventor	Osman Kibar		
Group Art Unit	1651		
Examiner Name	Jon P. Weber		
Attorney Docket Number	302,670-002 (prev. 259/221)		

(use as many sheets as necessary)
Sheet 2 of

Satistitute for form 1449A/PTO

TENTAIRE

Examiner Initials *	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume–issue number(s), publisher, city and/or country where published.	T²
	IMASAKA, et al., "Optical Chromatography. A New Tool For Separation Of Particles", Analusis Magazine, 26, 5, 1998, M 53-M 55.	
	MARKX, et al., "Dielectrophoretic Separation Of Bacteria Using A Conductivity Gradient", Journal of Biotechnology, 51, 1996, 175-180.	
	MARKX, et al., "The Dielectrophoretic Levitation Of Latex Beads, with Reference To Field-Flow Fractionation", Journal Of Physics D: Applied Physics, 30, 17, 1997, 2470-2477.	
	PETHIG, et al., "Applications Of Dielectrophoresis In Biotechnology", TIBTECH, 15, 10, October 1997, 426-432.	
	PRIEVE, "Use Of Optical Forces To Detach Single Microscopic Particles Adhering To Flat Surfaces In Aqueous Media", Proceedings Of The Annual Meeting Of The Adhesion Society, 20 th , 1997, 151-153.	
	YANG, et al., "Dielectric Properties Of Human Leukocyte Subpopulations Determined By Electrorotation As A Cell Separation Criterion", Biophysical Journal, 76, June 1999, 3307-3314.	

Examiner	Date	
Signature	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.